

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number  
(Optional)  
23681-10204

First named inventor: Nicolle Hannah PACKER

International (PCT) Application Number: PCT/AU2003/001063

U.S. Application No.: filed herewith

Filed: 20 August 2003 (20.08.2003)

Title: Method of Identifying Markers Diagnostic of Disease and Uses Therefor in the Diagnosis of Cancer

Attention: PCT Legal Staff  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☒ Small entity - fee \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☐ other than small entity - fee \$\_\_\_\_\_ (37 CFR 1.17(m)).

03/28/2005 SNAJARRO 00000124 10528745

05 FC:2453 2. Proper Reply 750.00 0P

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) <sup>1</sup> concerning a Submission under 35 U.S.C. 371:

- ☐ has been filed previously on \_\_\_\_\_
- ☒ is enclosed herewith.

RECEIVED  
NOV 2005  
Legal Staff  
International Division

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

23681/01000/DOCS/1510901.1

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995 no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

3/22/05

Date

Susan T. Hubl

Signature

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- Enclosures: ☒ Fee payment
- ☒ Transmittal Letter to DO/EO/US
- ☐ \_\_\_\_\_